

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

REC'D 13 MAR 2006



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Applicant's or agent's file reference 209598/EP/av	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP 03/14525	International filing date (day/month/year) 18.12.2003	Priority date (day/month/year) 18.12.2003
International Patent Classification (IPC) or both national classification and IPC H04M1/57		
Applicant TELEFONAKTIEBOLAGET LM ERICSSON (PUBL)et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:
- I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 15.07.2005	Date of completion of this report 10.03.2006
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/EP 03/14525

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-13 as originally filed

Claims, Numbers

1-19 received on 16.02.2006 with letter of 14.02.2006

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-19
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-19
Industrial applicability (IA)	Yes: Claims	1-19
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

- 1) Reference is made to the following documents:
D1: US-B-6 370 235
D2: US-A-2002/0067809
- 2) The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-19 does not involve an inventive step in the sense of Article 33(3) PCT.
- 3) For further information regarding claims 1, 7, 15 and 17-19, see Further remarks.
- 4) The document **D1** is regarded as being the closest prior art to the subject-matter of claim 1 and discloses (the references in parentheses applying to this document): a method for providing an authorisation to a user during a telephone connection being established between a first user and a second user in a telecommunications system comprising one or more interconnected telecommunications networks (abstract), said method comprising the steps of:
 - i) setting up the telephone connection between both the first and second user using their subscriber identity numbers (column 2, line 26-36),
 - ii) appointing based on an analysis at least one authorisation to said first user (column 3, line 26-33).

The subject-matter of claim 1 therefore differs from this known method in that: instead of being initiated automatically by the system the authorisation process for the first user is initiated manually by the second user (or the other way around).

The problem to be solved by the present invention may therefore be regarded as giving the second user direct manual control over the authorisation procedure in each specific case, rather than input the requirements beforehand and then use them automatically by the system.

The solution proposed in claim 1 of the present application cannot be considered as

involving an inventive step (Article 33(3) PCT) for the following reason.

To take a method step that is done automatically and make it manual is the obvious solution if you want to have personal control of every single authorisation.

- 5) The same reasoning (see also further remarks) applies, *mutatis mutandis*, to the subject-matter of the corresponding independent claims 7, 15 and 17-19, which therefore are also considered not inventive.
- 6) Dependent claims 1-6, 8-14 and 16 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, see documents D1, D2, the corresponding passages cited in the search report and further remarks.

Further remarks

- 8:1) Regarding claim 1 it is clear from the description that the main idea behind the invention is to make it possible for a receiver of a call to put a calling party number into a call screening list or the like by just pressing a button or a sequence of buttons on his telephone. The calling number is then automatically stored (with its priority) by the network and can be used for call screening purposes in the future. Therefore claim 1 does not meet the requirement following from Article 6 PCT taken in combination with Rule 6.3(b) PCT that any independent claim must contain all the technical features essential to the definition of the invention.
- 8:2) The combination of claim 1 and 6 comes closer to the point raised under 8:1. I however want to make the applicant aware of the fact that the same method of pressing a button and therewith initiating storage of the calling number in the network is known from D2. The only difference between the main idea of the invention and the method of D2 is that in D2 the information is used to register malicious callers rather than creating a normal call screening list. To use the same method for call screening is however considered to be obvious to the man skilled in the art in the light of for example D1.
- 9) The remark made under 8:1 also holds for independent claims 17 and 19 whereas

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the remarks made under 8:1 and 8:2 hold for independent claims 7, 15 and 18 (in the case of 7 and 15 in combination with claims 12 and 16 respectively).

- 10) To meet the requirements of Rule 5.1(a)(ii) PCT, the documents D1 and D2 should have been identified in the description and the relevant background art disclosed therein should have been discussed.
- 11) The various definitions of the invention given in independent claims 1, 7, 15 and 17-19, are such that the claims as a whole are not concise, contrary to Article 6 PCT. The claims should have been recast to include only the minimum necessary number of independent claims in any one category, Rule 6.1(a) PCT, with dependent claims as appropriate, Rule 6.4 PCT.

In the present case, it seems appropriate to have only one independent claim per category.

- 12) In several places on pages 9 and 10 of the description the reference numeral 11 should have been changed to 10 (compare figure 3).

EPO - DG 1

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16. 02. 2006

CLAIMS

(67)

1. A method for providing an authorisation to a user during a telephone connection being established between a first user (A) and a second user (B) in a telecommunications system (10) comprising one or more interconnected telecommunications networks (12-13), said method comprising the steps of:

i) setting up the telephone connection (1) between both the first and second user using their subscriber identity numbers based on authorizations appointed to said first and/or second user, and **further characterized by the steps**

of

ii) receiving during the telephone connection being established a service request (2) from one of said first user or second user; and

iii) appointing based on said service request received during the telephone connection being established at least one authorization to said other of said first user or second user.

2. Method according to claim 1, **characterized in that**, said authorization comprises the step of

iv) preventing based on said authorization the establishment of a future telephone connection between said first user and second user by said one of said first user or second user.

3. Method according to claim 1, **characterized in that** said authorization comprises the step of

v) allowing based on said authorization the establishment of a future telephone connection between said first user and second user by said other of said first user or second user.

4. Method according to claim 1, **characterized in that**, said authorization comprises the step of

vi) allowing based on said authorization said other of said first user or second user access to information sources kept by said one of said first user or second user.

5. Method according to claim 1, **characterized in that**, said authorization comprises the step of

vii) allowing based on said authorization said other of said first user or

second user to provide information to said one of said first user or second user.

6. Method according to anyone of the preceding claims, **further characterized by the step of**

viii) entering upon receipt of said service request from said one of said
5 first user or second user the subscriber identity number corresponding with said other of said first user or second user on at least one authorization list; and

ix) consulting said authorization list when a future telephone connection is being set up by said other of said first user or second user.

7. A telecommunications system comprising one or more
10 interconnected telecommunications networks, arranged for establishing a telephone connection between a first user and second user using their subscriber identity numbers based on authorizations appointed to said first and/or second user, **characterized in that** at least one of said interconnected telecommunications networks is arranged in receiving a service request during the telephone connection
15 being established from one of said first user or second user; and

is arranged in appointing based on said service request at least one authorization to said other of said first user or second user.

8. A telecommunications system according to claim 7, **characterized in that** said at least one of said interconnected telecommunications networks is
20 arranged in preventing based on said authorization the establishment of a future telephone connection between said first user and second user by said one of said first user or second user.

9. A telecommunications system according to claim 7, **characterized in that** said at least one of said interconnected telecommunications networks is
25 arranged in allowing based on said authorization the establishment of a future telephone connection between said first user and second user by said one of said first user or second user.

10 A telecommunications system according to claim 7, **characterized in that** said at least one of said interconnected telecommunications networks is
30 arranged in allowing said other of said first user or second user access to information sources kept by said one of said first user or second user.

11. A telecommunications system according to claim 7, **characterized in that** said at least one of said interconnected telecommunications networks is

arranged in to provide information to said one of said first user or second user.

12. A telecommunications system according to anyone of the claims 7-11, **characterized in that** said at least one of said interconnected telecommunications networks is arranged in entering upon receipt of said service request from said one of the first user or second user the subscriber identity number corresponding with said other of the said first user or second user on an authorization list; and

at least one of said interconnected telecommunications networks is arranged in consulting said authorization list each time a future telephone connection is being set up by said other of the first user or second user.

13. A telecommunications system according to claim 12, **characterized in that** said authorization list is contained in a database present in said at least one of said interconnected telecommunications networks.

14. A telecommunications system according to claim 12 or 13, **characterized in that** said interconnected telecommunications networks are arranged in synchronizing their respective lists.

15. A telecommunications network interconnected with other telecommunications networks in a telecommunications system, arranged for establishing a telephone connection between a first user and second user using their subscriber identity numbers based on authorizations appointed to said first and/or second user, **characterized in that** said telecommunications network is arranged in receiving a service request during the telephone connection being established from one of said first user or second user; and

is arranged in appointing based on said service request at least one authorization to said other of said first user or second user.

16. A telecommunications network according to claim 15, **characterized in that** said telecommunications network is arranged in entering upon receipt of said service request from said one of the first or second user the subscriber identity number corresponding with said other of the first user or second user on an authorization list; and

in consulting said authorization list each time a future telephone connection is being set up by said other of the said first user or second user.

17. An authorisation device in a telecommunications system, said telecommunications system comprising one or more interconnected

telecommunications networks, arranged for establishing a telephone connection between a first user and second user using their subscriber identity numbers based on authorizations appointed to said first and/or second user, characterized in that said authorisation device is arranged in receiving a service request during the telephone connection being established from one of said first user or second user; and

is arranged in appointing based on said service request at least one authorization to said other of said first user or second user.

18. Storage means in a telecommunications network interconnected with other telecommunications networks in a telecommunications system arranged for establishing a telephone connection between a first user and second user using their subscriber identity numbers based on authorizations appointed to said first and/or second user, characterized in that said storage means are capable of arranging and maintaining a database containing an authorization list and are capable in entering upon receipt of a service request from said one of the first user or second user the subscriber identity number corresponding with said other of the said first user or second user on said authorization list.

19. A computer program product for use in a telecommunications system comprising one or more interconnected telecommunications networks arranged for establishing a telephone connection between a first user and second user using their subscriber identity numbers based on authorizations appointed to said first and/or second user, characterized in that said computer program comprising software code means which, when run on a computer causes the method of any one of the claims 1-6 to be performed.